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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,408	01/07/2002	Katsuyuki Saito	P/16-300	4482

2352 7590 01/14/2005

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NEW YORK, NY 100368403

EXAMINER

PHILIPPE, GIMS S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/036,408

Applicant(s)

SAITO ET AL.

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/12/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is a first action in response to application no. 10/036,408 filed on January 7th 2002 in which claims 11-13 and 31 are presented for examination following a preliminary amendment canceling claims 1-10 and 14-30 and adding claim 31.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11-13 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Hiyama et al. (US Patent no. 5379757).

Regarding claims 11 and 31, Hiyama discloses an endoscopic imaging system, comprising an imaging device for projecting an object image of an object inside a body cavity (See col. 8, lines 52-68, col. 9, lines 21-26); a digital signal converter for converting an image signal sent from said imaging means into a digital signal (See fig. 1, A/D converter 27 and col. 27-39); a signal processor for processing said digital signal sent from said digital signal converter (See col. 9, lines 39-51); a discriminating signal appending circuit for appending a discrimination signal to said digital signal processed by said signal processor (See col. 10, lines 11-21, col. 41, lines 61-68, and col. 42, lines

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1-7); a compression circuit for determining a level of compressibility according to said discrimination signal appended by said discrimination signal appending circuit, and for compressing said digital signal processed by said signal processor (See col. 10, lines 9-37); and a recording unit for recording said digital signal compressed by said compression circuit on a recording medium (See col. 11, lines 1-18).

As per claim 12, most of the limitations of this claim have been noted in the above rejection of claim 11. In addition, Hiyama further discloses an endoscopic imaging system wherein the discrimination signal is produced according according to at least a type of image device, a type of endoscope, a type of enhancement performed by the signal processor, and data recorded in advance on the recording medium (See col. 14, lines 37-50, col. 24, lines 46-52).

As per claim 13, most of the limitations of this claim have been noted in the above rejection of claim 12. In addition, Hiyama further discloses an endoscopic imaging system wherein the data recorded in advance on the recording medium is medical-field or patient data (See col. 62, lines 54-59).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Yonemitsu et al. (US Patent no. 5510840) teaches method and devices for encoding and decoding frame signals and recording medium therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

January 12, 2005